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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,189	09/09/2004	Jerzy Janczak	NL 020196	8980

24737 7590 07/12/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

TRAN, THUY V

ART UNIT PAPER NUMBER

2821

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/507,189	JANCZAK ET AL.	
	Examiner	Art Unit	
	Thuy V. Tran	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment submitted on 05/25/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 10, 11, 13, 15-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10, 11, 13, 15-17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a response to the Applicants' amendment submitted on May 25, 2006. In virtue of this amendment:

- Claims 8-9, 12, 14, and 18 have been canceled; and thus,
- Claims 1-7, 10-11, 13, 15-17, and 19-20 are now presented in the instant application.

Upon reviewing the teachings of the cited prior art to Young (U.S. Patent No. 4,414,489) with respect to the scope of the claimed invention, the indicated allowability of claims 1-7, 10-11, 13, 15-17, and 19-20 is withdrawn, and the finality of the rejections of the last Office action mailed on 04/18/2006 is hereby withdrawn as a result. The new objections and rejections to the claims are being made as follows:

Claim Objections

1. Claim 6 is objected to because of the following informalities:

Claim 6, line 2, --further-- should be inserted after "is".

Appropriate correction is required.

2. Applicants are advised that should claim 5 be found allowable, claim 13 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

3. Claim 17 is objected to under 37 CFR 1.75(b)(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the

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claim(s) in independent form. The limitation “an ignition circuit and an inductor” recited in line 2 of the claim has been already claimed in lines 6-8 of claim 1.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claims 1-7, 10-11, 13, and 15-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, the recitation “An electric circuit ... connected to the plug and the socket” in lines 1-20 renders the claim indefinite since it is not clear whether the claimed invention is of an electric circuit for igniting a discharge lamp or of a module coupled to a discharge lamp or of an assembly (or a discharge lamp, etc.) comprising a combination of both. If the claimed invention tends to a combination of both, then (i) providing a preamble such as a lamp assembly, a discharge lamp, etc., which comprises “an electric circuit” and “a module” as having been claimed, and (ii) providing and/or making a connection between the two parts (the electric circuit and the module) are suggested. Clarification is required.

With respect to claim 10, the recitation “wherein the electric component is formed by the second inductor” in lines 2-3 renders the claim indefinite since it appears to be mis-descriptive. While the electric circuit and the module are two separate parts, element(s) of this part cannot be that of the other. More specifically, the second inductor of the electric circuit cannot form the electric component of the module. Clarification is required.

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With respect to claim 11, the recitation “wherein the electric component is formed by the second inductor” in lines 2-3 renders the claim indefinite since it appears to be mis-descriptive. While the electric circuit and the module are two separate parts, element(s) of this part cannot be that of the other. More specifically, the second inductor of the electric circuit cannot form the electric component of the module. Clarification is required.

Claims 2-7, 10-11, 13, and 17 are also rejected under 35 U.S.C. 112, second paragraph since they are dependent on claim 1.

With respect to claim 15, the recitation “a module ... wherein said at least one electric component includes an inductor” in lines 2-9 renders the claim indefinite since it appears to be mis-descriptive. In light of the submitted specification, at page 5, the component module [21] is provided with a releasable plug [26], a socket [25], and at least one electric component, which is an inductor [28], electrically connected to the plug [26] and the socket [25]. Separating out all the elements as such from the module, it is not clear what is still in there. Clarification is required.

Claim 16 is also rejected under 35 U.S.C. 112, second paragraph, since it is dependent on claim 15.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

7. Claims 15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Young (U.S. Patent No. 4,414,489).

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With respect to claim 15, as to the best interpretation, Young discloses, in Figs. 3-5, a lamp [24] comprising (1) a module [28], (2) a plug [33] releasably coupling the module to an inherent voltage source (for electrically connection; see col. 5, lines 21-49), (3) a socket [32] for releasably coupling the module [28] to the lamp (via contact pins [41, 42]; see Fig. 3), and (4) at least one electric component (which is wire winding [45], which is defined as inductor, shown in Fig. 6) connected to the plug [33] and the socket [32] (via contact pins [41, 42] and connecting wires therein; see Fig. 3), wherein said at least one electric component includes an inductor [45] (see Fig. 6).

With respect to claim 19, Young discloses, in Figs. 3-5, a module [28] connectable to a lamp [24] comprising (1) a plug [33] releasably coupling the module [28] to a voltage source (for electrically connection; see col. 5, lines 21-49), (2) a socket [32] for releasably coupling the module [28] to the lamp (via contact pins [41, 42]; see Fig. 3), and (3) at least one electric component (which is wire winding [45], which is defined as inductor, shown in Fig. 6) electrically connected to the plug [33] and the socket [32] (via contact pins [41, 42] and connecting wires therein; see Fig. 3), wherein said at least one electric component includes an inductor [45] (see Fig. 6).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1-7, 10-11, 13, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young (U.S. Patent No. 4,414,489) in view of Boenigk et al. (U.S. Patent No. 6,323,604 B1).

With respect to claims 1 and 10, as to the best interpretation, Young discloses, in Figs. 3-5 and 11, an electric circuit for igniting a discharge lamp [24] comprising (1) an ignition ballast [28], and (2) a module comprising (a) a plug [33] for releasable coupling of the module to a first condenser [54] (see Fig. 11), (b) a socket [32] (see Fig. 3) for releasable coupling of the module [28] to the discharge lamp [24] (via contact pins [41, 42]; see Fig. 3), and (c) at least one electric component (which is any component included in the ballast [28] shown in Fig. 3) electrically connected to the plug [33] and the socket [32] (via contact pins [41, 42] and connecting wires therein; see Fig. 3). Young does not teach an electronic circuit for igniting the discharge lamp comprising a voltage source, at least one first condenser electrically connected to the voltage source, a series chain electrically connected in parallel with the first condenser, of at least one ignition and at least one first inductor, and the discharge lamp electrically connected in parallel with the ignition and being provided with a discharge vessel, and a second inductor which is

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electrically connected in series with the discharge vessel (note that the limitation “wherein the electric component is formed by the second inductor” claimed in claim 10 is understood as part of the electric circuit).

Boenigk et al. discloses, in Figs. 1c and 2b, an electric circuit [SCH] for igniting a discharge lamp [L] comprising (1) a voltage source [Uo] (see Fig. 1c), (2) one first condenser [C7] (see Fig. 2b) electrically connected to the voltage source, (3) a series chain [L1, ZKZ], electrically connected in parallel with the first condenser, of at least one ignition [ZKZ] and one first inductor [L1] (see Fig. 2b), (4) the discharge lamp [L] electrically being connected in parallel with the ignition [ZKZ], and being provided with a discharge vessel [EG] (see Fig. 3a), and (5) a second inductor [SW] (see Fig. 2b) which is electrically connected in series with the discharge vessel [EG].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the discharge lamp of Young by replacing the ballast of Young with the electric circuit taught by Boenigk et al. for cost savings and an effective operation of the lamp since Boenigk et al. teaches that such an electric circuit requires only few electronic components but starts quickly and simply (see col. 2, lines 22-24).

With respect to claim 2, the combination of Young and Boenigk et al. disclose that the discharge lamp is formed by a high-pressure discharge lamp (see Young, regarding a single-ended discharge lamp which is impliedly a high-pressure discharge lamp).

With respect to claim 3, the combination of Young and Boenigk et al. disclose that the discharge vessel is provided with sodium (see Boegnig et al.; col. 6, lines 21-24).

With respect to claim 4, the combination of Young and Boenigk et al. disclose all of the claimed subject matter, as expressly recited in claim 1, except for specifying that the second inductor has an impedance of between $2\ \Omega$ and $10\ \Omega$, preferably $4\ \Omega$. However, this difference is not of patentable merit since discovering an optimum value of a result effective variable involves only routine skill in the art. Therefore, to select a second inductor, for the electric circuit of the combination of Young and Boenigk et al., having an impedance between $2\ \Omega$ and $10\ \Omega$, or preferably $4\ \Omega$, to be suitable for a proper or desired operation would have been deemed obvious to a person skilled in the art.

With respect to claim 5, the combination of Young and Boenigk et al. disclose that the second inductor [SW] is incorporated in the discharge lamp (see Young; Figs. 3 and 5).

With respect to claim 6, and claim 11 as to the best interpretation, the combination of Young and Boenigk et al. disclose that the electric circuit [SCH] is provided with a second condenser [C2], which is electrically connected in parallel with the second inductor [SW] and in series with the discharge vessel [EG] (see Boenigk et al.; Figs. 2b and 3a) (note that the limitation “wherein the electric component is formed by the second inductor and a second condenser electrically connected in parallel with the second inductor” claimed in claim 11 is understood as part of the electric circuit).

With respect to claim 7, the combination of Young and Boenigk et al. disclose all of the claimed subject matter, as expressly recited in claim 1, except for specifying that the capacitance of the second condenser lies between 5 nF and 15 nF, preferably 10 nF. However, this difference is not of patentable merit since discovering an optimum value of a result effective variable involves only routine skill in the art. Therefore, to select a second condenser, for the electric

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circuit of the combination of Young and Boenigk et al., having a capacitance between 5 nF and 15 nF, or preferably 10 nF, to be suitable for a proper or desired operation would have been deemed obvious to a person skilled in the art.

With respect to claim 13, the combination of Young and Boenigk et al. disclose that the second inductor [SW] is incorporated in the discharge lamp (see Young; Figs. 3 and 5).

With respect to claim 17, the combination of Young and Boenigk et al. disclose that the electric circuit (not “further” since the following parts were previously recited in claim 1) comprises an ignition circuit [ZKZ] and an inductor [L1] connected in parallel to said voltage source (see Boenigk et al.; Fig. 2b).

11. Claims 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young (U.S. Patent No. 4,414,489) in view of Nilssen (U.S. Patent No. 6,100,643).

With respect to claims 16 and 20, Young discloses all of the claimed subject matter, as expressly recited in claims 15 and 19, except for a capacitor connected in parallel with the inductor.

Nilssen discloses, in Fig. 12, a lighting unit [LUy1] comprising a capacitor [TCy1] connected in parallel with an inductor [Pwy1].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the lamp device of Young by additionally configuring a capacitor in parallel with the inductor so as to cause the natural resonance frequency of the total net LC-tank circuit to change to be effectively connected with an output since such a configuration of the capacitor for the

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stated purpose has been well known in the art as evidenced by the teachings of Nilssen (see col. 18, lines 34-40).

Citation of relevant prior art

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Heider (U.S. Patent No. 5,248,913) discloses a high-pressure discharge lamp (which is defined as a single-ended high-pressure discharge lamp).

Inquiry


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Thuy V. Tran', written in a cursive style.

THUY V. TRAN
PRIMARY EXAMINER